

REMARKS

Favorable reconsideration and allowance are respectfully requested for claims 1-68 in view of the foregoing amendments and the following remarks.

At the outset, we would like to express our appreciation to Examiner Dinh for the courtesies extended during the personal interview of January 9, 2003. At the interview, the operation of the invention was discussed along with the 35 U.S.C. §112, first and second paragraphs, rejections. The references were also discussed. No agreement was reached.

Responsive to the objections to the specification, the claimed subject matter is seen as having proper antecedent basis in the specification. Regarding a first lock device having a recess on a surface, at page 5, paragraph 14, proper antecedent basis may be found. Regarding a complementary lock device having a recess, in Figure 3 the first lock device 5 having a projection or a recess 7 is seen to be fitting with the complementary lock device 6 having a form which is complementary to the rejection or the recess 7. Regarding the mountings being tiltable, at page 5, paragraph 15, the mountings are disclosed as being tiltable. Regarding the spindle being connected to the antenna device, at page 6, paragraph 17, proper antecedent basis may be found. Accordingly, withdrawal of the objections is respectfully requested.

Responsive to the rejections under 35 U.S.C. §112, first paragraph, as discussed at the personal interview of January 9, 2003, the claimed subject matter is sufficiently described in the specification to enable one skilled in the art to make and/or use the invention. The spring, by way of an axial force, rotates the nut relative to the spindle. This relative motion between the nut and spindle translates into a linear motion of the spindle. Regarding claim 18, the nut is connected to the first lock device 5 in a rotatably fixed manner. As shown

in Figure 2, the first lock device 5 is also connectable to a complementary lock device 6 as shown in Figure 3. This connection between 5 and 6 in Figure 3 is also detachable and prevents rotation of the first lock device. Regarding the tiltable mountings, as shown in Figure 6, the mountings, via the ball and socket-like joints at each end, are tiltable. Accordingly, withdrawal of the rejections is respectfully requested.

Regarding the rejections under 35 U.S.C. §112, second paragraph, as explained at the personal interview at January 9, 2003, the claim limitations are definite. Regarding a rotatably fixed connection, the drive unit and nut are fixed in relation to one another. Likewise, the nut is fixed in relation to the first lock device rotation wise. Accordingly, withdrawal of the rejections is respectfully requested.

Claims 1, 2, 11, 16 and 60 were rejected under 35 U.S.C. §102(b) as anticipated by Stanley. These rejections are respectfully traversed. Stanley does not disclose or suggest, among other features, that the rotating drive unit is connected rotatably fixed to the nut. The rotating drive unit, as alleged in the Office Action, is the motor 108 in Figure 5. The nut is alleged to be element 44 in Figure 5. Stanley, by way of Figure 5, shows in operation that the motor 108 turns the shaft 110 to thereby turn the gear 106 which, in turn, rotates relative to the nut 44 and thereby rotates the nut around spindle 12 which translates into a linear motion. In Stanley the gear 106 and the nut 44 must have relative rotation between them in order to rotate the nut. Thus, the rotating drive unit and the nut are not rotatably fixed. Thus, it is respectfully submitted that the claimed invention is not anticipated by Stanley, as noted above. Accordingly, withdrawal of the rejections is respectfully requested.

Claims 17, 18, 23-25 and 29 were rejected under 35 U.S.C. §103(a) as unpatentable over Stanley in view of Madey. Claims 30, 31 and 36 were rejected

under 35 U.S.C. §103(a) as unpatentable over Stanley and Madey in view of Schonfield. Claim 3 was rejected under 35 U.S.C. §103(a) as unpatentable over Stanley in view of Hansen. These rejections are respectfully traversed. As noted above, Stanley does not show the rotating drive unit connected rotatably fixed to the nut. Hansen, Madey and Schonfield do not rectify this deficiency. Madey shows an actuating mechanism where there is relative rotation between the actuators and the revolving component 60. Schonfield discloses an operator for swinging windows wherein there is relative rotation between the nut 5 and the handle at the end of the spindle 3. Likewise, Hansen shows a stepper motor where the nut 66 is a rotor which rotates electromagnetically and relative to the motor. Thus, it is respectfully submitted that the claimed invention is patentably distinguishable over the cited references. Accordingly, withdrawal of the rejections is respectfully requested.

Claims 4-10, 12-15, 37-43, 46-54, 57, 58 and 60-68 were rejected under 35 U.S.C. §103(a) as unpatentable over Roth et al. in view Stanley. Claims 19-22, 26-28, 44, 45, 55 and 56 were rejected under 35 U.S.C. §103(a) as unpatentable over Roth et al. and Stanley and further in view of Madey. Claims 32-35 and 59 were rejected under 35 U.S.C. §103(a) as unpatentable over Roth et al. and Stanley in view of Schonfield. These rejections are respectfully traversed.

Roth et al. does not disclose or suggest, among other features, that the rotating drive unit exercises a force in an axial direction of the spindle on an area of the spindle which acts in conjunction with the nut. Roth et al. does not show a rotating drive unit. The pretension spring elements, including the fastener 13, pretension the bolt 3. However, the spring element and fastener 13 do not provide conversion of rotational motion into translational motion. As seen in Figure 6, when the entire device operates, the nut halves separate allowing the pretension to pull back the retaining bolt 3. The threads of the retaining bolt

and nuts are not in contact at this time, as shown in Figure 6. Thus, no rotational motion of bolt 3 is provided.

Stanley does not rectify these deficiencies. Stanley does not disclose or suggest, among other features, the rotating drive unit exercising a force in an axial direction of the spindle on an area of the spindle which acts in conjunction with the nut. Stanley discloses motor 108, as shown in Figure 5, rotating shaft 110 to thereby rotate gear 106. The gear 106 thereby rotates nut 44a in a rotational motion. Thus, motor 108 in Stanley exercises a rotational force on the nut and not on the spindle. Thus, it is respectfully submitted that the claimed invention is patentably distinguishable over the cited prior art. Accordingly, withdrawal of the rejection is respectfully requested.

Regarding claims 37, 38, 43, 44, 45-47, 48-49, 54-59, 60-62, 66, and 67, Roth et al. and Stanley do not show that the rotating drive unit is rotatably fixedly connected to the nut. As noted above, Stanley does not show this limitation. Moreover, as noted above, Roth et al. does not show a rotating drive unit. Thus, it is respectfully submitted that the claimed invention is patentably distinguishable over the cited references, as noted above. Accordingly, withdrawal of the rejections is respectfully requested.

A *prima facie* case of obviousness has not been established. Roth et al. relates to a release device for a retaining bolt which is used to hold down solar panels of a spacecraft. The release device operates by way of a consumable wire which breaks and opens a nut to release a bolt. Stanley relates to a linear actuator with a special bearing unit. The linear actuator is not used for either release or spacecraft. Thus, one of ordinary skill in the art would not look to Stanley to modify the device in Roth et al. Moreover, Roth et al. teaches away from the use of such a motor and actuator by pointing out the object of the invention is to accommodate the parts of the device in a small space (see column 1, lines 27-28). Thus, it is respectfully submitted that the combination of

references is improper and a *prima facie* case of obviousness has not been established.

Since claims 19-22, 26-28, 32-35, 44, 45, 55, 56 and 59 depend from claims 4, 37, 48, claims 19-22, 26-28, 32-35, 44, 45, 55, 56 and 59 are also patentably distinguishable over the cited references. Accordingly, withdrawal of the rejection is respectfully requested.

In view of the foregoing amendment and remarks, the application is respectfully submitted to be in condition for allowance, and prompt favorable action is earnestly solicited.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #420SI/49910).

Respectfully submitted,



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